



12/21/99

12-22-99

A

Please type a plus sign (+) inside this box [+]

PTO/SB/05 (12/97)

Approved for use through 09/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**UTILITY PATENT APPLICATION TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. B98-039-2First Named Inventor or Application Identifier Portnoy et al.Title Intracellular Delivery Vehicles**EL071087827US**Express Mail Label No. EL071087827US

**ADDRESS TO:** Assistant Commissioner for Patents  
Box Patent Application  
Washington, D. C. 20231

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. X \*Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)
2. X Specification (Total Pages 29)  
(preferred arrangement set forth below)
  - Descriptive Title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claims
  - Abstract of the Disclosure
3. X Drawings(s) (35 USC 113) (Total Sheets 2)
4. X Oath or Declaration (Total Pages 1)
  - a.      Newly Executed (Original or Copy)
  - b. X Copy from a Prior Application (37 CFR 1.63(d))  
(for Continuation/Divisional with Box 17 completed)
  - i.      **DELETIONS OF INVENTOR(S)** Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
5. X Incorporation By Reference  
The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6.      Microfiche Computer Program (Appendix)
7. X Nucleotide and/or Amino Acid Sequence Submission

(if applicable, all necessary)

- a. ☐ Computer Readable Copy  
b. ☐ Paper Copy (identical to computer copy)  
c. ☐ Statement verifying identity of above copies  
d. ☒ Request to use CRF from another application

#### ACCOMPANYING APPLICATION PARTS

8. ☒ Assignment Papers (cover sheet & documents(s))  
    ☒ a. Assignment to The Regents of the University of California, of record in prior application  
9. ☐ 37 CFR 3.73(b) Statement (where there is an assignee)  
    ☒ Power of Attorney (copy from prior appln.)  
10. ☐ English Translation Document (if applicable)  
11. ☐ a. Information Disclosure Statement (IDS)/PTO-1449  
    ☐ b. Copies of IDS Citations  
12. ☒ Preliminary Amendment  
13. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)  
14. ☒ a. \*Small Entity Statement(s) (copy from Prior appln.)  
    ☒ b. Statement filed in prior application, Status still proper and desired  
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)  
16. ☐ Other: \_\_\_\_\_

\*NOTE FOR ITEMS 1 & 14: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 CFR 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 CFR 1.28)

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment:

☒ Continuing ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: 09/133,914  
Prior application information: Examiner Railey, J. Group Art Unit 1636

#### 18. Correspondence Address

\_\_\_\_ Customer Number or Bar Code Label \_\_\_\_\_  
(Insert Customer No. or Attach Bar Code Label here)  
or

☒ Correspondence Address Below

NAME Richard Aron Osman  
SCIENCE & TECHNOLOGY LAW GROUP

ADDRESS 75 Denise Drive

CITY Hillsborough STATE California ZIP CODE 94010

Country U.S.A. TELEPHONE (650) 343-4341 FAX (650) 343-4342

Name: Richard Aron Osman Registration No: 36,627

Signature:  Date: December 21, 1999

**FEE TRANSMITTAL**

Patent fees are subject to annual revision on October 1. These are the fees effective November 10, 1998. Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTP/SB/09-12. See 37 CFR 1.27 and 1.28

**TOTAL AMOUNT OF PAYMENT (\$)** \$774.00

**Complete if Known:**

Application No. Not yet assigned  
 Filing Date Herewith  
 First Named Inventor Portnoy et al.  
 Group Art Unit Not yet assigned  
 Examiner Name Not yet assigned  
 Attorney Docket No. B98-039-2

**METHOD OF PAYMENT (check one)**

1. ☐ The Commissioner is hereby authorized to charge indicated fees to:

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 and credit any over payments to:

☐ Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b) to:

Deposit Account Number 19-0750  
 Deposit Account Name Science & Technology Law Group

2. ☒ Payment Enclosed  
☒ Check  
☐ Money Order  
☐ Other

**FEE CALCULATION (fees effective 10/01/97)****1. FILING FEE**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Code</u>	<u>Fee (\$)</u>	<u>Code</u>	<u>Fee (\$)</u>		
101	760	201	380	Utility application filing fee	380.00
106	310	206	155	Design application filing fee	
107	480	207	240	Plant filing fee	
108	760	208	380	Reissue filing fee	
114	150	214	75	Provisional application filing fee	
<b>SUBTOTAL (1)</b>					<b>\$ 380.00</b>

**2. CLAIMS**

2. CLAIMS					<u>Extra</u>	<u>Fee from below</u>	<u>Fee Paid</u>
Total Claims	<u>55</u>	- 20 =	<u>35</u>	X	<u>9.00</u>	=	<u>315.00</u>
Independent Claims	<u>4</u>	- 3 =	<u>1</u>	X	<u>39.00</u>	=	<u>39.00</u>
Multiple Dependent Claims			<u>0</u>	X	<u>0</u>	=	<u>0</u>
<u>Large Entity</u>		<u>Small Entity</u>					
Fee	Fee	Fee	Fee				
Code	(\$)	Code	(\$)	Fee Description			Fee Paid
103	18	203	9	Claims in excess of twenty			<u>315.00</u>
102	78	202	39	Independent claims in excess of 3			<u>39.00</u>
104	260	204	130	Multiple dependent claim			<u>0</u>
109	78	209	39	Reissue independent claims over original patent			<u>0</u>
110	18	210	9	Reissue claims in excess of 20 and over original patent			<u>0</u>
SUBTOTAL (2)							\$ 354.00

# **FEE CALCULATION (continued)**

## **3. ADDITIONAL FEES**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	
116	380	216	190	Extension for response within second month	
117	870	217	435	Extension for response within third month	
118	1,360	218	680	Extension for response within fourth month	
128	1,850	228	925	Extension for response within fifth month	
119	300	219	150	Notice of Appeal	
120	300	220	150	Filing a brief in support of an appeal	
121	260	221	130	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive unavoidably abandoned application	
141	1,210	241	605	Petition to revive unintentionally abandoned application	
142	1,210	242	605	Utility issue fee (or reissue)	
143	430	243	215	Design issue fee	
144	580	244	290	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00
146	760	246	380	For filing a submission after final rejection (see 37 CFR 1.129(a))	
149	760	249	380	For each additional invention to be examined (see 37 CFR 1.129(a))	

Other fee (specify) \_\_\_\_\_

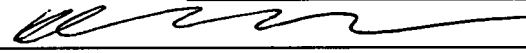
Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3) \$ 40.00**

\*Reduced by Basic Filing Fee Paid

## **SUBMITTED BY:**

Typed or Printed Name: Richard Aron Osman

Signature  Date December 21, 1999

Reg. Number 36,627 Deposit Account User ID \_\_\_\_\_  
(complete if applicable)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Portnoy et al.

Group Art Unit: 1636

Serial No. Unassigned

Examiner: Railey, J.

Filed: Herewith

Attorney Docket No. B98-039-2

For: *Intracellular Delivery Vehicles*

This application is a continuation of Serial No. 09/133,914, filed: Aug 13, 1998.

Date: December 21, 1999



REQUEST TO USE CRF FROM ANOTHER APPLICATION

The Assistant Commissioner for Patents  
Washington, DC 20231

Dear Commissioner:

In accordance with 37 CFR 1.821(e), please use the only computer readable form of the Sequence Listing submitted in Application No. 09/133,914, filed August 13, 1998 as the computer readable form of the Sequence Listing for the instant Application.

It is understood that the Patent and Trademark Office will make the necessary change in Application number and filing date for the computer readable form that will be used for the instant Application. The sequence information on the written Sequence Listing submitted herewith is identical to that recorded in computer readable form filed in the above referenced Application No. 09/133,914.

This submission introduces no new matter.

Respectfully submitted,  
SCIENCE & TECHNOLOGY LAW GROUP

A handwritten signature in black ink, appearing to read "Richard Aron Osman", written over a horizontal line.

Richard Aron Osman, Ph.D., Reg. No. 36,627  
Telephone: (650) 343-4341 Fax: (650) 343-4342